

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, OCTOBER 8, 2002 AT 10:00 A.M.
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**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, OCTOBER 8, 2002 AT 10:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS - 12TH FLOOR
202 "C" STREET
SAN DIEGO, CA 92101**

NOTE: The public portion of the meeting will begin at 10:00 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. - 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.

OTHER LEGISLATIVE MEETINGS

The **SAN DIEGO HOUSING AUTHORITY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Housing Authority Secretary at (619) 578-7540.

ITEM-300: ROLL CALL.

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject** regardless of the number of those wishing to speak. Submit requests to speak to the City Clerk **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under "Non-Agenda Public Comment."

COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT

REQUEST FOR CONTINUANCE

The Council will now consider requests to continue specific items.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

ITEM-330: Savannah Terrace.

(Continued from the meeting of September 10, 2002, Item 331, at the request of Councilmember Maienschein, for further review.)

Matter of approving, conditionally approving, modifying or denying to the City Council a Rezone from CC to RM-2-5 (1 dwelling unit per 1,500 square feet of lot area) Tentative Map/Planned Development Permit/Site Development Permit/Street Vacation/Multiple Habitat Plan Area Boundary Adjustment to develop five lots with 289 multi-family units on a 28.96-acres site. The project is located at the northeast corner of Sabre Springs Parkway and Poway Road.

(See City Manager Report CMR-02-197. RZ/PDP/SDP/SV/TM/MHPA Boundary Adjustment 40-0644. Sabre Springs Community Plan area. District-5.)

NOTE: Hearing open. No testimony taken on 9/10/2002.

CITY MANAGER'S RECOMMENDATION:

Introduce the ordinance in subitem A; adopt the resolution in subitem B to deny the permits and MHPA Boundary Adjustment; adopt the resolution in subitem C to deny the tentative map/street vacation; and adopt the resolution in subitem D:

Subitem-A: (O-2003-60)

Introduction of an Ordinance changing portions of a property, located at the northeast corner of Sabre Springs Parkway and Poway Road, in the Sabre Springs Community Plan Area, in the City of San Diego, California, from CC-1-3 (Community Commercial) Zone into the RM-2-5 (Medium Density Residential) Zone, as defined by San Diego Municipal Code section 101.0111; and repealing Ordinance O-17061 (New Series), adopted April 18, 1988, of the ordinances of the City of San Diego insofar as the same conflicts herewith.

Subitem-B: (R-2003-)

Adoption of a Resolution granting or denying Planned Development/Site Development Permit No. 40-0644 and MHPA Boundary Adjustment, with appropriate findings to support Council action.

Subitem-C: (R-2003-)

Adoption of a Resolution granting or denying Vesting Tentative Map/Street Vacation 40-0644, with appropriate findings to support Council action.

Subitem-D: (R-2003-317)

Adoption of a Resolution certifying that the information contained in Mitigated Negative Declaration No. 40-0644, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of regulations section 15000 et seq.), and that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the Savannah Terraces project;

That the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that Mitigated Negative Declaration, is approved;

That pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment;

That the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

OTHER RECOMMENDATIONS:

On June 13, 2002, the Planning Commission voted 5-0 to approve staff's recommendations and deny the proposal; no opposition.

Ayes: Lettieri, Brown, Garcia, Steele and Shultz
Recusing: Chase

On August 3, 2001, the Sabre Springs Planning Group voted 7:0:1 in support of the project.

CITY MANAGER SUPPORTING INFORMATION:

The 28.69-acre project site is located on the northeast corner of Sabre Springs Parkway and Poway Road, within the Sabre Springs Community Plan area. The project site is designated Community Commercial, Multi-Family and Institutional. Surrounding uses include Specialty Commercial (SC) to the west; Low-Medium Density Residential (LM-10-15 du/acre) to the south; Institutional/Utilities (IN) to the east; Medium Density Residential (M-15-30 du/acre) to the northeast; Open Space (OS) and Neighborhood Park (NP) to the north of the project site.

FISCAL IMPACT: None.

Ewell/Christiansen/PXG

LEGAL DESCRIPTION:

The project site is located at the northeast corner of Sabre Springs Parkway and Poway Road, within the Sabre Springs Community Planning area and is more particularly described as Parcel 1 and 2, per Parcel Map No. 17661; Lots 4 and 5 of North Creek Areas 14, 15, 16, 17, and 18, Unit No. 1, per Map No. 12937.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

ITEM-331: Nextel Murray Ridge.

(Continued from the meeting of September 17, 2002, Item 330, so that findings can be brought back to Council to be adopted.)

Matter of the appeal by Brian P. Welch and Robert D. Sisemore of the decision by the Planning Commission in approving an application for an existing wireless telecommunications facility disguised as a 35 foot high palm tree and its associated 200 square-foot equipment shelter and landscape situated in the parking lot of the International Church of the Foursquare Gospel Church located at 2285 Murray Ridge Road in the Serra Mesa Community.

(See City Manager Report CMR-02-199. Serra Mesa Community Plan area. District-6.)

NOTE: Hearing Open. Public portion of hearing closed. Testimony taken on 9/17/02.

CITY MANAGER'S RECOMMENDATION:

Adopt the resolution in subitem A to deny the appeal and grant the permit; and adopt the resolution in subitem B:

Subitem-A: (R-2003-)

Adopt the Resolution granting or denying the appeal and granting or denying the Conditional Use Permit/Planned Development Permit No. 94-0330-87, with appropriate findings to support Council action.

Subitem-B: (R-2003-)

Adoption of a Resolution certifying that the information contained in the Negative Declaration No. 94-0330-87 has been completed in compliance with the California

Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.) as amended, and the State guidelines thereto (California Administrative Code Section 15000 et seq.) that the report reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the land use actions for the Nextel Murray Ridge;

That the Planning Commission finds, based upon the Initial Study and any comments received, that there is no substantial evidence that the project will have a significant effect on the environment and therefore, that said Negative Declaration is hereby approved.

OTHER RECOMMENDATIONS:

Planning Commission on May 16, 2002 voted 5-1 to approve; was opposition.

Ayes: Lettieri, Brown, Garcia, Schultz, Steele

Nays: Chase

Not present: Anderson

The Serra Mesa Community Planning Group has recommended denial of this project.

CITY MANAGER SUPPORTING INFORMATION:

The Nextel-Murray Ridge project is an existing wireless communication facility consisting of a 35-foot high faux palm tree supporting twelve panel antennas and an approximate 200-square foot equipment shelter and trash enclosure.

The facility is located at 2285 Murray Ridge Road on the perimeter of the church parking lot in the southwestern portion of the property overlooking Interstate-805 in the Serra Mesa Community Plan area.

FISCAL IMPACT: All costs associated with the processing of this application have been paid for by the applicant.

LEGAL DESCRIPTION:

The site is located at 2285 Murray Ridge Road, in the Serra Mesa Community Plan area and is more particularly described as parcel "B" of the Princess Park Estates, Unit No. 7, Map No. 4621.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

ITEM-332: Route 252 Corridor Lot Consolidation Parcel Map and Public Right-of Way Vacation.

(See City Manager's Report CMR-02-217. Southeastern San Diego Community Area.

District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-412)

Approving a Lot Consolidation Parcel Map W.O. No. 420095 including Street Vacations and Easement Reservations.

CITY MANAGER SUPPORTING INFORMATION:

The proposed Lot Consolidation Parcel Map and Public Right-of-Way Vacation would vacate Public Rights-of-Way, reserve General Utility Easements, and grant Sewer Easements. This action is being taken by SEDC so that they can provide an unencumbered piece of land to the City of San Diego for use as a future city park. The proposed Public Right-of-Way Vacation would vacate portions of: Alpha Street, Beta Street, Birch Street, 36th Street, 37th Street, and an Unnamed Alley.

The proposed vacations are consistent with City Council Policy 600-15, *Street Vacations Easement Abandonments*, as well as San Diego Municipal Code Chapter 12, Article 5, Division 9, governing Public Right-of-Way Vacations. Therefore, the portions of the Public Rights-of-Ways proposed for vacation are not needed for present nor prospective public street purposes. As part of this action, all Public Rights-of-Way containing public utilities would be reserved as General Utility and Access Easements for City and Public Utility use. Sewer Easements for are being granted as a part of this action for existing sewer lines which are not currently within a public easement.

FISCAL IMPACT: None.

Ewell/Christiansen/DES

NOTE: This action is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3).

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

ITEM-333: Uptown Public Facilities Financing Plan and Development Impact Fee.

(See City Manager Report CMR-02-209 and Draft Public Facilities Financing Plan. Uptown Community Area. Districts-2 and 3.)

TODAY'S ACTIONS ARE:

Adopt the following resolutions:

Subitem-A: (R-2003-430 Cor. Copy)

Approving the document titled "Uptown Public Facilities Financing Plan, Fiscal Year 2003" dated September 16, 2002;

Subitem-B: (R-2003-435 Cor. Copy)

Rescinding the existing Uptown Development Impact Fees [DIF];

Declaring the DIF fee schedule contained in the Uptown Public Facilities Financing Plan, Fiscal Year 2003 to be an appropriate and applicable DIF fee schedule for all properties within the Uptown Community Planning Area;

Declaring that the Docket Supporting Information (including the City Manager Report) and the text contained in the Uptown Public Facilities Financing Plan are incorporated by reference into this resolution as support and justification for satisfaction of findings required pursuant to California Government Code Sections 66001(a) and 66001(b) for imposition of DIFs. Specifically, it is determined and found that this documentation:

1. Identifies the purpose of DIF;
2. Identifies the use to which the DIF is to be put;
3. Demonstrates how there is a reasonable relationship between the DIF's use and the type of development project on which the DIF is imposed; and
4. Demonstrates how there is a reasonable relationship between the need for the public facility and the type of development project on which the DIF is imposed.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 9/18/2002, LU&H voted 3 to 0 to approve. (Councilmembers Peters, Wear and Frye voted yea. Councilmembers Stevens and Maienschein not present.)

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT